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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Adam Heggen, an individual

Plaintiff,

v.

Heavenly Valley, Limited Partnership; and
Does 1-10, inclusive;

Defendants.

Case No. 2:21-cv-00107-WBS-DB

JOINT STATUS REPORT; ORDER

**RELATED TO: 2:21-CV-01260 WBS DB
2:21-CV-01608 WBS DB
2:21-CV-02251-WBS-DB**

Complaint Filed: October 21, 2020
Date Removed: January 21, 2021
District Judge: Hon. William B. Shubb
Courtroom 5, Sacramento
Magistrate Judge: Hon. Deborah Barnes
Courtroom 27, Sacramento

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Attorneys for Plaintiff
ADAM HEGGEN

1 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

2 Pursuant to the Court's March 2, 2022 Order (ECF No. 13), plaintiff Adam Heggen
3 ("Plaintiff") and defendant Heavenly Valley Limited Partnership ("Defendant") (collectively "the
4 Parties") hereby submit this joint status report regarding the status of the case and settlement
5 approval process in this Action and four other related cases: *Gibson v. The Vail Corporation*, Case
6 No. 2:21-cv-01260-WBS-DB (E.D. Cal.) ("*Gibson*"); *Hamilton v. Heavenly Valley, Limited*
7 *Partnership*, 2:21-cv-01608-WBS-DB (E.D. Cal.) ("*Hamilton I*"); *Hamilton v. Heavenly Valley,*
8 *Limited Partnership*, SC20210148 (El Dorado County Superior Court) ("*Hamilton II*"); and
9 *Roberds v. The Vail Corporation et al.*, Case No. 2:21-cv-02251-WBS-DB ("*Roberds*").

10 On December 28, 2021, the Parties executed a formal, long-form Settlement Agreement
11 that fully and finally resolves all claims in the Action, pending court approval, as well as claims
12 pled in related cases *Hamilton I*, *Gibson*, *Hamilton II*, and *Roberds* ("the Settlement").

13 In the *Hamilton II* Action, on February 1, 2022, the El Dorado County Superior Court
14 entered an Order granting Plaintiffs' Motion for Preliminary Approval of the Settlement. The Order
15 provisionally certified the settlement class, and ordered that notice be disseminated to all settlement
16 class members. Notice of class action settlement went out to over 100,000 affected individuals on
17 March 22, 2022. The deadline to object or opt-out expired on May 20, 2022.

18 On June 17, 2022, the *Hamilton II* Court continued the hearing on Plaintiffs' Motion for
19 Final Approval of the Settlement to Friday, August 19, 2022.

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1 In light of the pending August hearing date, the Parties respectfully request that the Court
2 continue the July 5, 2022 Status Conference to September 16, 2022, or a date otherwise convenient
3 for the Court.

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6 DATED:

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

7
8
9 By: /s/ Melis Atalay
Evan R. Moses
Melis Atalay

10
11 Attorneys for Defendant
12 HEAVENLY VALLEY LIMITED
13 PARTNERSHIP

14 DATED:

KING & SIEGEL LLP

15
16 By: /s/ Elliot Siegel
17 Julian Burns King
18 Elliot Siegel

19 Attorneys for Plaintiff
20 ADAM HEGGEN
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ORDER


The Court having reviewed the foregoing stipulation, and GOOD CAUSE APPEARING THEREFOR, the Court orders as follows:

(1) The Parties shall file a Joint Status Report addressing the status of the settlement approval process, and any additional information that the Court requires, on **September 27, 2022**.

(3) A Status Conference Re Class Action Settlement is set **for October 11, 2022 at 1:30 p.m.**

IT IS SO ORDERED.

Dated: June 21, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE